

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

IN THE MATTER OF THE SEARCH  
OF A RESIDENCE LOCATED AT:

22163 State Highway 248  
Aurora, Missouri 65605

18-SM-HUBPR

**AFFIDAVIT OF COLLEEN PEERY, SPECIAL AGENT**  
**UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND**  
**EXPLOSIVES IN SUPPORT OF SEARCH WARRANT**

I, Colleen Peery, affiant, seeks authorization for a search warrant, and having been duly sworn, do hereby state the following:

**Introduction**

1. I am a Special Agent (SA) with the U.S Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since March 2015. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center at Glynco, Georgia. I have conducted and participated in several investigations concerning the illegal possession of firearms.
2. As a SA with the ATF and throughout my three years of Federal law enforcement, I have participated in or have knowledge of the execution of several search warrants for firearms and ammunition. Based on my experience and the experience of more senior special agents with the ATF, we know that a person maintains their firearms, along with ammunition, in their homes, as well as stores firearms and ammunition in their vehicles for hunting purposes, self-defense and criminal activities, for extended periods of time. I know that persons who possess firearms usually possess others items related to firearms, such as: gun cases, ammunition, ammunition magazines, holsters, spare parts, cleaning equipment, photographs of firearms and receipts for the purchase of

these items, which prove possession of firearms through direct or circumstantial evidence.

3. There is probable cause to believe that located at 22163 State Highway 248, Aurora, Missouri (herein described as the Target Residence) is evidence relating to the possession of a firearm affecting interstate commerce by a prohibited person, in violation of Title 18, United States Code, Section 922(g)(9). The residence is more fully described in Attachment A to the Application for Search Warrant.
4. The information enumerated in the paragraphs below, furnished in support of this affidavit, is derived from my own training and experience and upon documents provided by law enforcement officers.
5. This affidavit is made for the limited purpose of obtaining a search warrant. Thus, it recites only relevant facts necessary to establish probable cause to obtain a search warrant for the listed premises. I have not included each and every fact known to me concerning the entities, individuals, and the events described in this affidavit.

#### **Details of the Investigation**

6. On March 7, 2018, Shad Willie BRYANT (BRYANT) attempted to purchase a High Standard .410 Model K410 shotgun from Pawnderosa Gun & Pawn, which has a Federal Firearms License (FFL) to buy and sell firearms and is located in Aurora, Missouri, a location within the Western District of Missouri. BRYANT was delayed from purchasing the shotgun. As a part of his attempt to purchase the firearm, BRYANT completed an ATF Form 4473 which required that he answer all questions on the form truthfully. On the ATF Form 4473, question (i) asks "have you ever been convicted in any court of a misdemeanor crime of domestic violence?" BRYANT marked "no." This was later determined to be false. On the ATF Form 4473, BRYANT listed his residence as 22163 State Highway 243, Aurora, Missouri 65605, a location within the Western District of Missouri. Agents confirmed that the address provided

on BRYANT'S ATF Form 4473 is the same address that is listed as BRYANT'S current address for his Missouri driver's license. Further, agents conducted a criminal history records check for BRYANT, and according to the records return from the National Crime Information Center (NCIC), BRYANT'S most recent residence as of October 28, 2018, is listed as "22163 State Highway 248, Aurora, Missouri, 65605," the same address BRYANT provided in his ATF Form 4473. BRYANT obtained the shotgun on March 13, 2018, after the FFL had not received a response from the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS).

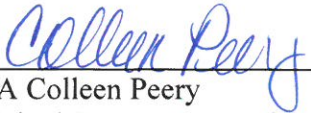
7. According to BRYANT'S application to purchase the aforementioned firearm, his current residence is located at 22163 State Highway 248, Aurora, Barry County, Missouri, with the Western District of Missouri. Furthermore, after conducting a records check on BRYANT, law enforcement has determined that BRYANT has two vehicles registered to him. Those vehicles include (1) a 2000 GMC Sierra – 3 Door Extended Cab PK with Missouri license plate #7SY295, and (2) a 1993 Ford 150 – Club Cab Pickup with Missouri license #6DW455.
8. On March 15, 2018, the FBI denied BRYANT due to his 2004 misdemeanor conviction for Domestic Battery-3rd Degree, out of Roger, Arkansas, against his live-in girlfriend. The NICS referral provided by FBI included supporting documents that included the Transcript of Judgment.
9. On March 16, 2018, I contacted BRYANT via telephone about the shotgun. I informed BRYANT that he was prohibited from having firearms due to his misdemeanor conviction for domestic battery and directed him to relinquish ownership. BRYANT became argumentative and stated "You aren't taking my guns." BRYANT hung up on me.
10. I again made contact with BRYANT on March 16, 2018, and went over BRYANT'S options with him. BRYANT stated he would be getting a lawyer and would not give

up his gun. I explained to BRYANT that he was a prohibited person and could not possess a firearm. I directed BRYANT to contact me no later than 9:00am on March 19, 2018, or BRYANT would be charged federally. BRYANT failed to contact me by that time.

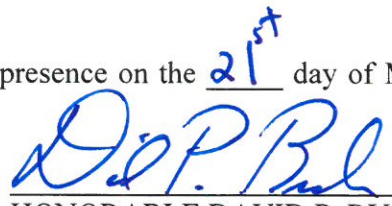
11. On March 19, 2018, ATF SA Brian Fox, Interstate Nexus Expert, reviewed the information provided on BRYANT'S Form 4473 as a part of his purchase of the High Standard shotgun. SA Fox's opinion is that this firearm was not manufactured in the State of Missouri, thus it had to travel in interstate or foreign commerce.
12. Based upon the factual information contained in this affidavit, I have probable cause to believe that firearms and ammunition are located at the Target Residence, which is more fully described in Attachment A, and I respectfully request authority to seize those items which are listed more fully in "Attachment B, Items to be Seized".
13. Due to the ongoing and uncertain nature of this investigation, affiant requests that this search and seizure be permitted during any of the hours of the day or night
14. I, SA Colleen Peery, upon the foregoing facts, my training and experience and from information from which I have received from other law enforcement officers and sources, respectfully submit that there is probable cause to believe that the items described in Attachment B, which are evidence, contraband, fruits of crime, other items illegally possessed, property designed for use, intended for use, or used in committing

a crime concerning a violation of Title 18, United States Code, Section 922(g)(9) will be located inside the Target Residence property more fully described in "Property to be Searched" under Attachment A and all vehicles and outbuildings located on and within the property.

FURTHER AFFIANT SAYETH NAUGHT.

  
SA Colleen Peery  
United States Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn to before me in my presence on the 21<sup>st</sup> day of March,  
2018.

  
HONORABLE DAVID P. RUSH  
United States Magistrate Judge  
Western District of Missouri